













## SHIPPING.

**ARRIVALS.**  
March 11.—Grafton, schooner, 21 tons, Captain H. Williams, from New River Bay, 4th inst. Arrived at 10 a.m.  
March 11.—S. S. Victoria, 100 tons, Captain Murphy, from Melbourne, 10th inst. Arrived at 10 a.m.  
March 11.—S. S. Victoria, 100 tons, Captain Murphy, from Melbourne, 10th inst. Arrived at 10 a.m.

**DEPARTURES.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
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**PROJECTED DEPARTURES.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
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**CLARIFICATIONS.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
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**COASTERS INWARDS.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.

**COASTERS OUTWARDS.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.

**EXPORTS.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.

**SHIPS' MAILS.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.

**NEWCASTLE.**  
March 12.—S. S. Victoria, 100 tons, Captain Murphy, for Melbourne, 11th inst. Departs at 10 a.m.  
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**DIARY.**

Month.	Day.	Hour.	Event.
March.	12.	10.	Arrival of S. S. Victoria.
March.	13.	10.	Departure of S. S. Victoria.

**THE SYDNEY MORNING HERALD.**

TUESDAY, MARCH 12, 1885.

In turning to the journals of Tasmania, we find that the late Governor of Adelaide is affording the strongest testimony to the value of those municipal arrangements—here a matter of history—remembered only with doubt and scorn. We have no intention to revive the complaint against the late corporation of this city. It is a maxim of generosity to say nothing ill of the dead. We protest, however, against a local experiment being admitted to outweigh the experience of an empire. There were causes peculiar to this metropolis, which obstructed the healthy action of those institutions, which have been the school, the fortress, and the ornament of freedom. Take away municipal law and the government becomes a tyranny—not at once, perhaps, but by the absorption of all the powers of government into one centre, and the control of all who exercise authority by one irresistible will. We are glad to find that a gentleman, so familiar with the principles of municipal government, Sir HENRY YOUNG, has pronounced an unqualified verdict in their favour. If from some local paralysis the first corporate body of Adelaide exhibited the disorder, and then the inanity ascribed to our own—instead of destroying the institution the Legislature widened its moral basis. Instead of standing solitary, they made it the chief of a numerous municipal family. In every portion of the land the principle of self-government was applied—not as a thing to be tried and tested—to be scorned and ridiculed—a toy to amuse, or an apple of discord to scramble for, but the only practicable, and therefore permanent method of ruling a free people. The inhabitants of that colony perceived at once that, to have streets, and sewers, and highways—to have schools and local institutions for the cultivation of the mind, it was necessary that the people should pay—that they should pay who were to enjoy them; and that should any district be found so absurdly—so brutally ignorant, as to refuse the advantages of the municipal regimen, it should be left to exist in a miserable independence.

We find in other colonies a number of gentlemen already ready with appliances to promote the public expenditure. Everywhere they present their particular jobs. Their charming locality, their fertile district, their intelligent public-spirited neighbours possess the highest possible claim, for the largest possible share, of generalization, to be aggravated to the greatest possible extent, by all sorts of fiscal schemes. A central power looks upon these propositions with too great indulgence. Those entrusted with the claims of the interesting district are generally capable of assisting or embarrassing the executive by their votes in the legislature. Not, of course, as the price of his vote, but for the benefit of his constituency the member insists on an equivalent. It seems also proper that where grants are given at the expense of the revenue, the executive Government should supervise the expenditure. Accordingly the supervisors must be responsible to the executive. That they may be responsible it is necessary that the executive should appoint them. It is thus all patronage drops into the hands of one man, and by slow, yet sure degrees, the whole community is perverted and emasculated.

We have before us a list of the public officers of Tasmania. Their salaries range from £2000 to £10—a very small number being less, though most of them are something between £200 and £300. In a population represented by 10,000 houses, there are more than 400 colonial officers, exclusive of the constabulary and persons employed by the home Government; that is to say, one public officer for every twenty-five dwellings, besides the chief conservators of the peace. It was not surprising, therefore, that Sir HENRY YOUNG, finding, as he said, the cost of government more than twice as great in Tasmania as in South Australia, should at once look out for reductions, and that he should find no course so constitutional as the contraction of the functions of central authority within the limits of its necessary action; that he should look to the municipal principle not only to purify the government, but to relieve the treasury. It is refreshing to find a representative of Downing-street so far unshackled, and when we perceive a vicerey, so called, moving in this direction we scarcely know what judgment to pronounce upon the colonial representatives, who, ignorant of the value of these principles, or anxious to retain their virtual control over the executive, denude the country of those rights and privileges which can never be enjoyed unless by the minute organization of the people. We most cordially commend to their consideration the sentiments we subjoin, contained in an answer to Sir HENRY YOUNG's address. Among the first of their measures should be the establishment of municipal systems in the remotest towns of this colony. We have no wish to begin within the precincts of Sydney; let the Commissioners fairly try how far they can surpass the body they have superseded. Let their expenditure be fully scrutinized, and at the same time, let their labours fairly estimated. What may be the future course of the legislature, it is clear that having so recently pronounced the sentence of incapacity upon the city, it could not with consistency annul its own acts, and force upon an indolent and imbecile population duties which their ancestors had sacred, and privileges which they maintained against the central Government by ages of struggle. It is perhaps true that among the thousands of our inhabitants a respectable municipality could not be constituted. Let it not be told in Melbourne—not published in Adelaide—not talked of in Tasmania! But we confess that the doom pronounced upon our population, severe as it was, was provoked—was deserved—was unpitied, and is for the present irrevocable.

We have understood that the GOVERNMENT-General expressed in another sphere very strong opinions upon the subject of British municipal law. We happen to have seen the draft of a Bill drawn under his sanction for the establishment of a system of day schools, in which that principle was most amply developed, and, without passing to details, we have rarely examined a measure more deserving the consideration of a legislature. Unfortunately the Bill was withdrawn in consequence of the political difficulties of Tasmania, which blighted everything. Having, however, in various forms

expressed his estimation of the principle of self-government by municipal institutions, we might expect that no opposition would arise in that quarter to any well-considered scheme. No doubt there are certain whims which it would be right for the Government to compel a population to do, and upon their neglecting the central executive should be authorized to step in, and in a summary manner perform the work and levy the expense. This principle has been already applied in Great Britain by the sanitary laws. We believe that the inhabitants of our remotest towns would prefer performing these public duties by their own agents, and in their own way. No doubt they would quarrel—and long would be their speeches, vehement their resolutions! but what of all that. Men love to squabble; they find excitement in opposition, but public opinion is their best restraint and corrector. If a body of country bumpkins make fools of themselves, understanding that they are the village HAMPSHIRE of the "Grave," their folly should not deprive their fellow-subjects of franchises, which want no modern testimonial, and require no recommendation or defence, which are stamped upon every page of British history—which operate in their greatest force wherever men are most public-spirited and free, and in default of which all the forms of liberty subside by accident, and are in danger of virtual and at length of formal extinction.

Thus, said Sir HENRY YOUNG:—  
I shall try to obtain the adoption, as opportunities offer, of the constitutional principle that the central executive should not attempt to engross to itself all the powers of the state, great and small, but that they should be distributed among local authorities. I shall be glad to see municipal and district elective councils exercising full control over their own local affairs; the burden of expenditure locally felt, the application locally controlled, and the responsibility in economical pounds, prescribed by local experience. I shall rejoice to see in healthy activity all those popular and local instincts and attachments, that invigorating yet amiable rivalry, that diffusion of control and authority which prevents central power from becoming capricious and despotic; in fine all those habits of local government which are the natural accompaniments of a general representative legislature, and which themselves are sufficient to prove constitute together the perfection of civil polity.

In his letter on the City Finances, published in the *Herald* of Friday last, Mr. RAE observes:—  
"No one can doubt the financial convenience that would result from consolidating the different accounts, so as to show the aggregate amount of income and expenditure, and the aggregate result in the shape of a general balance; but, unfortunately, as the law stands, the Commissioners have no discretion in the matter. They are bound to keep the accounts distinct, nor is it easy to see how this inconvenience could be remedied."  
In our humble judgment, there is no difficulty in the way whatever, beyond the trouble of drawing up a separate abstract. The law requires the Commissioners to keep the accounts distinct, but it does not forbid them to subjoin to the separate abstracts published in the *Government Gazette*, a general recapitulation showing the aggregate results above referred to.

In our former article on the City Finances, we gave a comparative summary of the cost of management under the late City Council and under the present Commissioners, so far as the City Fund was concerned. Mr. RAE says that our figures are incorrect. On carefully reviewing them, we find that in some instances they are so; but as in two of these instances the errors are entirely in favour of the Commissioners, we trust we shall be acquitted of any intention to represent their case less favourably than was consistent with truth. It would be easy to explain how the errors arose; but the best apology we can offer is to give a second summary, more explicit and more accurate than the first.

By way of enabling any one to test the correctness of our present figures, we beg to state that, as regards the expenditure of the late City Council, we derive our information from the *Government Gazette* for 1854, vol. I, p. 454; and that as regards the expenditure of the Commissioners, we derive our information from their own abstract published in the *Gazette* for the present year, p. 549. For the sake of brevity, our general rule is to discard fractions of a pound, unless they exceed ten shillings, when we reckon them as a pound.

**CITY FUND—COST OF MANAGEMENT.**

Salaries—	Under the Council.	Commissioners.
Mayor	£632	£2,600
Commissioners	794	539
Town Clerk	539	539
Secretary	885	975
Treasurer	1,471	1,824
Surveyor	250	250
Inspector of Slaughter Houses	252	318
Engineer	357	200
Ditto Nuisances	286	200
Clerk of Markets	286	200
Superintendent Waterworks	286	200
City Solicitor	286	200
Officekeeper, &c.	286	249
Total Salaries	£8,223	£7,880
Commissioners' Charges (less Salaries)	894	2,465
Law Expenses	182	—
Total Cost of Management	£9,299	£10,345

Under City Council ..... 6,299  
Excess under Commissioners, being 94 per cent. £4,046

Salaries, as above £8,223 £7,880  
Under City Council ..... 5,223  
Excess under Commissioners, being 50 per cent. £2,657

When we originally instituted this comparison, nothing was farther from our thoughts than to find fault with the Commissioners, or to insinuate any thing prejudicial to the new system as compared with the old. On the contrary, we knew too well that the old system would have been dear at any price. The grand desideratum of the city was, and ever must be, not to save a few hundreds or thousands of pounds per annum in municipal expenditure, but to secure that its sanitary and other indispensable works are carried on in the most efficient manner, and with the least possible loss of time. If the Commissioners do this, they may rest assured no intelligent citizen will begrudge them a freer use of money than was ever entrusted to their useless predecessors.

Most fully we agree with Mr. RAE, that "the citizens can have little reason to complain of their civic burdens during last year;" seeing that by the liberality of the Legislature and the Government, followed up by the strenuous and untiring exertions of the Commissioners themselves, works of great value, and extending over a large portion of the city, have been carried out at a cost from direct taxation of 1s. 6d. in the pound on the old assessment, or less than 6d. in the pound on the present value of city property. The only rational ground of complaint on this head is, that the taxation is by far too low—lower than the general wealth of the citizens.

In the time of the City Council, the City Fund included what is now a separate account under the name of Water Fund.

would enable them to pay with the utmost ease, lower than the wants of the city urgently demand, and we think we may safely add, lower than in any city of corresponding magnitude throughout the civilized world. If we would command a fair share of municipal dignity and comfort, we must not be too chary of municipal taxation. If we expect the City Commissioners to carry on their work in a way creditable to themselves and satisfactory to us, we must not withhold from them liberal supplies of money.

The amount of litigation, with which the Supreme Court is called upon to deal has for a long time past steadily increased, while there has been no corresponding increase in the power of dealing with it. The Judges, it must be admitted, have made strong efforts to get through the business; but as there were no tangible means of accelerating the pace of judicial investigation, and as the cause lists continued, sitting after sitting, to increase in length, so also there was at the termination of every such sitting, an enlarged list of remanets, i.e., of cases which remained undisposed of for want of time, and which consequently went over until the ensuing sittings.

Some relief was afforded by giving up a little extra time to the trial of causes, a few days now and then as they could be spared, without interfering too much with other business. But the relief which could be given in this way was necessarily very limited. Efforts were made on two or three occasions, to keep two courts at work, but these efforts have hitherto failed on account of their interference with the arrangements of the bar. At length, however, the business of the Court has got into such a state some remedy must be applied.

Anticipating a pressure of this nature, the Judges arranged that during the sittings of the present year there should, at certain periods, be two courts at one time, and that separate cause lists should be made out for each court, so that members of the legal profession might be enabled to make their arrangements accordingly. But even with this help there are more causes at issue than there is any present prospect of disposing of. Every day's lists are filled, and there are still some fifty cases at issue which could not be set down. Consequently, even if the arrangement of having two courts at once during a part of the sittings be fully carried out, there will still be a very fair chance of some forty or fifty remanets which, with the causes now at issue but not set down, will make an arrears of nearly one hundred cases.

There is the more reason, then, that no delays should be permitted. It is probable that a pressure of business may induce counsel to try whether they cannot "condense" a little (there is plenty of room for an improvement of this kind), and the great help which the frequent sitting of a second court will give, will doubtless prevent the arrears from being increased, even if it does not have the effect of reducing that arrears.

Yesterday, however, we are sorry to say, the attempt to get on with business in two Courts at the same time proved a failure. Mr. JUSTICE DICKINSON managed to try a couple of causes, which occupied the entire day, but Sir ALFRED STEPHEN was not so fortunate. One of two cases were postponed, one or two others were settled, and the remainder had to be struck out or got rid of by the withdrawal of the record, because the parties were not prepared to go to trial.

There are two causes to which these vexatious delays of public business are chiefly attributable—first to the attorney in the case, taking it for granted that the first two or three causes in the list will be sufficient to occupy the Court during the whole of the day, in consequence of which he delays to send a brief to counsel, or to get his witnesses and his proofs together until the last moment, when the case is about to be called on, or is perhaps actually called on. Secondly, to the practice of retaining the senior members of the bar in every case, important or otherwise, in consequence of which these gentlemen have more than their fair share of work, and are very often called for in two places at once, so that as the cause must be either struck from the list or postponed to suit the convenience of counsel, the latter course is generally taken.

The remedy we believe to be in the hands of the judges if they will but have the firmness to apply it. Delay from either of the causes we have just mentioned, is wholly inexcusable. Every attorney whose case is set down for trial on a particular day should hold himself in readiness to proceed with it, and there are many junior counsel quite as well as able as any of the seniors, to manage such petty cases as are more than one-half of those which the Court has to dispose of. Let every case, therefore, in which the parties are not ready, and have not a tangible excuse to offer for not being so, be at once struck out. This will force a reform in the shape of increased attention, and will give a little extra practice to the juniors into the bargain.

**LAW.**

**SUPREME COURT—MONDAY.**

**BEFORE THE CHIEF JUSTICE.**

**JURORS FINED.**

MEARS, T. S. ROBERTS and R. M. ROBEY were fined £10 each for non attendance as jurors.

The whole of the cases in this list for this court were gone through; some were postponed, and others were struck out in consequence of the parties not appearing, but no case was actually tried.

**BEFORE MR. JUSTICE DICKINSON and a jury of four.**

This was an action of ejectment, to recover possession of fifty acres of land in the district of Botany.

Mr. MURRAY appeared for the plaintiff, and Mr. BROOKS for the defendant.

The land had been granted by the Crown to one Bracken, and the plaintiff claimed under a conveyance from the former, dated thirty-five years back.

The date of the grant was June, 1823, so that when the deed of 1820 was executed Bracken was only the promisee. In 1841, Bracken was in the Benevolent Asylum, and while there, he executed a further conveyance, by way of confirming and strengthening that which he had given in 1820.

It was upon these instruments jointly that the plaintiff's claim was based. On the other hand, the defendant claimed under a deed of 1820, which conveyed all his interest therein to the late Mr. James WILKIE, for the sum of fifty pounds.

Mr. WILKIE left the property, by will, to one Elliot. From the latter the present defendant derived, by a conveyance, in September, 1853, paying £150 for the property.

His Honor ruled that a promisee had no right to execute a conveyance. He could not alienate land derived from the Crown until after he had obtained a grant. Consequently the conveyance prior to the receipt of the grant would be void, and that of WILKIE being the first, which had been executed by Bracken after he had obtained the grant, the defendant, who claimed under this conveyance, would be entitled to recover, unless there had been fraud in connection with it.

**Verdict for defendant.**

**JAMES V. LEGGERS.**  
This was an action of slander. The defamatory words declared upon were these: "You are a d—n rogue, and get your living by dishonesty."  
Mr. BROOKS appeared for the plaintiff, and the Solicitor-General and Mr. DARVILL for the defendant.

The parties to this suit, Messrs. James and Leggers, were with several others at the bar of the London Tavern, when, upon the proposition of one of the party, they agreed to play a game of billiards for a sum of £100. Although the loss was sworn by the plaintiff and by a person who was looking on, to be perfectly fair, Leggers imagined, or seemed to imagine that he had been cheated, and not only used the terms declared upon, but indulged in a great quantity of other abuse. James bore this very quietly, being determined to seek a legal remedy for the insult, but the other bystanders were disgusted with Leggers's language and proceedings, and some of them expressed a belief that James ought at once to have taken the law into his own hands. Three days afterwards Leggers addressed some abusive language to James while standing at his own door.

The defence was simply this—that the slanderous words declared upon were not used on such an occasion, and under such circumstances, as to injure the character of the plaintiff, and strong reliance was placed upon the fact that the plaintiff had not suffered in any degree in his friends' estimation by the abuse and blackguardism of Leggers. It had appeared, incidentally, too, that the latter had recently come into possession of a large property, and it was contended that this was a speculative action brought with a view to the recovery of large damages. It was further contended that Leggers was a respectable person, and his Honor having briefly summed up, the Jury found a verdict for the plaintiff, damages £10.

Court adjourned until ten o'clock this morning.

**INSOLVENT COURT.**

**BEFORE THE CHIEF COMMISSIONER OF Insolvent Estates.**

In the estate of Kich, Langley, and Butchart, an adjourned second meeting. Nothing done, beyond adjourning until the 23rd inst.

In the estate of John Turner (Grocott), an adjourned second meeting. The claim in order of admission of a creditor of a sum of £100, having been adjourned from a previous day, having been abandoned, the meeting terminated.

**The Chief Justice accepted the surrender of the following estate:**

George Warburton, of George-street, on behalf of himself and Frederick Bennett, lately carrying on business as grocers and provision merchants, 4200 s. 5d.; assets, value of personal property, £20; deficit, £110 s. 5d. Mr. Morris, official assignee.

**MEETINGS TO-DAY.**

In the estate of Samuel H. Cohen, a second meeting, at 11 o'clock.

In the estate of John L. Drewe, a second meeting, at 2 p.m.

**MEETINGS TO-MORROW.**



the Complete Works, edited by Miss. Stollenwerk, published by the

[illegible][illegible][illegible]

1	0	Mrs. R. Mylham	1	0
1	0	Patrick Cullen	1	0
1	0	Neil M. Donald	1	0
2	0	Wright Thompson	1	0
2	0	John M. McKeown	1	0
2	0	Michael M. Keane	1	0
3	0	Patrick Dwyer	1	0
10	0	Patrick Dwyer	1	0
1	0	Patrick M. Avery	1	0
1	0	John M. Avery	1	0
1	0	John P. Stancary	1	0
1	0	Hugh Campbell	1	0
1	0	John Campbell	1	0
1	0	James Keenan	1	0
1	0	Thomas G. Gough	1	0
1	0	John Hawkins	1	0
1	0	Charles Quinn	1	0
1	0	William J. Green	1	0

Larsen	1	0	0	Thomas Cowley	0	10	0
Bergan	1	0	0				
					\$57	3	0

watch, which is a very handsome one here, the following  
 "Presented to Thomas J. Berg, J. F. as a mark of  
 respect in which he is held by many of the residents of  
 city of Hawley, 1895."

For the very flattering address which you have pre-  
 sented, I beg to return you a most grateful thanks, and  
 to set at largely prize this record of the favourable  
 my public and private character, which you have be-  
 come known to express

With unforged pleasure and satisfaction that I am in-  
 vited to your approval of my conduct as a magistrate. That is a  
 commendation which I shall treasure as a high honor. My  
 humble ability in this capacity has met your approba-

[illegible]

1870











